

# 2019 ANNUAL TOWN MEETING

## ANNUAL TOWN MEETING MINUTES

Monday, April 22, 2019

Having been advised by the Town Clerk that a quorum was present, Daniel Silverman, Moderator, called the Town Meeting to order at 7:10 pm at the Wellfleet Elementary School at 100 Lawrence Road. The final tally of voters present at this meeting was 379.

The Moderator recognized Jerry Houk for his many years of service on the Board of Selectmen which will end after the Annual Town Election on April 29, 2019 and the following individuals who retired from the Town of Wellfleet since the last Town Meeting:

Paul Lindberg	DPW Assistant Director
Rosemary Moriarty	Treasurer/Collector

He also acknowledged Police Chief Ronald Fisetta who will be retiring in February, 2020.

The Moderator welcomed the following newly hired individuals:

Courtney Butler	Executive Assistant to the Town Administrator
Jennifer Congel	Assistant Town Clerk
Rebekah Eldridge	Committee Secretary/Water System Clerk
Jay Norton	DPW Assistant Director

He also introduced John Giorgio, Esq. who is representing the Town's Counsel, KP Law in place of Carolyn Murray who was unable to attend.

The Moderator asked for a moment of silence to remember the following individuals who served the Town of Wellfleet and had passed away since the last Town Meeting:

Cal Anderson – Council on Aging.  
Ronald Eastman-Assistant Harbormaster  
Adeline Francis- Town Clerk/ Town Treasurer  
Eugenia Larson- Wellfleet School Committee, Nauset Regional Committee.

The Moderator informed the Town Meeting that no new business will be taken up after 10:00 pm and reminded the assembly of the rules of order and decorum.

He asked for unanimous consent to limit speakers, other than the proponent of the article, to three minutes and no more than twice without consent of the town meeting. Unanimous consent was so granted.

He read the Warrant notice and the Constable's Return of Service into the record and proceeded to the business of the Town Meeting.

### ARTICLE 1: FY 2020 Operating Budget

Ms. Reinhart moved and it was seconded that the Town vote to approve the Selectmen's Fiscal Year 2020 Town Operating Budget as printed in the warrant in Appendix A in the amount of \$19,039,847, with each item to be considered a separate appropriation, including fixing the salaries and compensation of all elected officers of the Town as noted in Appendix E for Fiscal Year 2020, and including approving the Nauset Regional School District and Cape Cod Regional Technical High School District budgets for Fiscal Year 2020, with funding for the Operating Budget provided in the following manner:

Raise and Appropriate	\$17,189,847
Ambulance Fund	\$400,000
Beach Fund	\$1,035,000
Shellfish Fund	\$30,000
SEMASS Fund	\$325,000
Recreation Fund	\$60,000

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 6-0.

### **Loewenstein Amendment**

Ms. Loewenstein moved and it was seconded to amend the FY 2020 Operating Budget by reducing the line item for Department 630, Recreation (P. 38) by \$6,400.00 for a total department of \$320,506.

The amendment requires a majority vote: The Moderator declared the amendment failed on a voice vote.

A majority vote is required for adoption of the main motion.

The Moderator declared the main motion was adopted on voice vote.

### **ARTICLE 2: FY 2019 Transfers**

Ms. Wilson moved, and it was seconded that the Town approve the following fiscal year 2019 operating budget transfers as printed in the warrant, and for this purpose, that the sum of \$159,017 be transferred from free cash to the following departments:

- To Department 300 the Wellfleet Elementary School \$57,517;
- To Department 189 the Housing Authority \$15,000;
- To Department 210 the Police Department \$40,000;
- To Department 417 the Public Works Department Facilities \$44,000;
- To Department 630 the Recreation Department \$2,500;

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 7-0.

A majority vote is required for adoption. The Moderator declared motion carried on a unanimous voice vote.

### **ARTICLE 3: FY 2020 Capital Budget**

Ms. Carlson moved and it was seconded that the Town raise and appropriate \$1,851,735 and transfer \$20,000 from the Septic Fund for a total appropriation of \$1,871,735 to fund the FY 2020 capital debt service costs as printed in the warrant as Appendix B and further that the town vote to:

- transfer from free cash \$445,342 and
- to transfer \$26,015 from the Shellfish Fund and
- to transfer \$65,000 from the Ambulance Fund and
- to transfer \$84,500 from the Beach Fund

for a total of \$620,857 to be transferred to fund the FY 2020 Capital Improvement Plan as listed in appendix B in the Annual Town Meeting warrant, excluding those items listed for which the funding source is borrowing.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 7-0.

A majority vote is required for adoption. The Moderator declared the motion carried with a unanimous voice vote.

**ARTICLE 4: FY 2020 Marina Enterprise Budget**

Ms. Bacon moved and it was seconded that the Town vote that \$625,669 be appropriated to operate the fiscal year 2020 Marina Enterprise Fund with the following sums;

- \$559,000 to come from Marina Enterprise Fund revenues
- \$49,669 to come from Marina Enterprise Retained Earnings
- \$10,000 from the Beach Fund
- \$2,000 to come from the Waterways Fund
- \$5,000 to come from the Shellfish Fund
- and further, that \$55,300 be appropriated from the Marina Enterprise revenues to the general fund to reimburse for indirect costs.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 8-0.

A majority vote is required for adoption. The Moderator declared motion carried on a unanimous voice vote.

**ARTICLE 5: FY 2020 Water Enterprise Budget**

Mr. Houk moved and it was seconded that the Town vote that \$280,861 be appropriated to operate the fiscal year 2020 Water Enterprise Fund with the following sums;

- \$133,000 to come from Water Enterprise Fund revenues
- \$147,861 to be raised and appropriated from the General Fund
- and further, that \$5,000 to be appropriated from Water Enterprise revenues to the general fund to reimburse for indirect costs.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 7-1.

A majority vote is required for adoption. The Moderator declared the motion carried on a voice vote.

**ARTICLE 6: Prior Year Invoices**

Ms. Reinhart moved and it was seconded that the sum of \$15,290 be and hereby is transferred from free cash for the purpose of paying the following prior year unpaid bills, as printed in the warrant:

\$12,500 to outer Cape Health Services  
\$2,266 to Air Cleaning Specialist of N.E. and  
\$524 to CDW, Inc.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 8-0

A four-fifths majority vote is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

**ARTICLE 7: Fund Firefighters Union Contract**

Ms. Wilson moved and it was seconded that the sum of \$48,211 be and hereby is raised and appropriated to pay costs of funding the first year of a three-year collective bargaining agreement between the Town of Wellfleet and the Wellfleet Firefighters Union covering the term of July 1, 2019 through June 30, 2022, and further that the Town Accountant is authorized to allocate said sums to and among the accounts affected thereby in such amounts as are proper and required.

The Board of Selectmen: recommendation to Town Meeting 4-0

The Finance Committee: Reserves recommendation to Town Meeting 8-0

A majority vote is required for adoption. The Moderator declared that the motion carried on a unanimous voice vote.

**ARTICLE 8: Fund Teamsters Union Contract**

Ms. Carlson moved and it was seconded that the sum of \$40,371 be and hereby is raised and appropriated to pay costs of funding the first year of a three-year collective bargaining agreement between the Town of Wellfleet and the Wellfleet Teamsters Union covering the term of July 1, 2019 through June 30, 2022, and further that the Town Accountant is authorized to allocate said sums to and among the accounts affected thereby in such amounts as are proper and required.

The Board of Selectmen: Recommends 4-0.

The Finance Committee: Recommends 8-0.

A majority vote is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

**ARTICLE 9: Fund Communications Union Contract**

Ms. Bacon moved and it was seconded that the sum of \$16,361 be and hereby is raised and appropriated to pay costs of funding the first year of a three-year collective bargaining agreement between the Town of Wellfleet and the Wellfleet Communications Union covering the term of July 1, 2019 through June 30, 2022, and further that the Town Accountant is authorized to allocate said sums to and among the accounts affected thereby in such amounts as are proper and required.

The Board of Selectmen: Recommends 4-0.

The Finance Committee: Recommends 7-0.

A majority vote is required for adoption. The moderator declared the motion carried on a unanimous voice vote.

**ARTICLE 10: Non-Union and Other Personnel Salaries & Compensation**

Mr. Houk moved and it was seconded that the sum of \$49,485 be and hereby is raised and appropriated to pay the cost of wage and salary adjustments for non-union and other personnel effective July 1, 2019, and further that the Town Accountant is authorized to allocate said sums to and among the accounts affected thereby in such amounts as are proper and required.

The Board of Selectmen: Recommends 4-0.

The Finance Committee: Recommends 8-0.

A majority vote is required for adoption. The Moderator declared the motion passed on a unanimous voice vote.

#### **ARTICLE 11: Chapter 90 Road Repairs**

Ms. Reinhart moved and it was seconded that the Town vote to accept the sum of \$243,219, or such other amount that the Commonwealth declares as available funds, as the Commonwealth's share of the cost of work under Massachusetts General Laws, Chapter 90, said funds to be expended for the purposes stated in the warrant under the supervision of the Board of Selectmen.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 7-0.

A majority vote is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

#### **ARTICLE 12: Wellfleet Harbor Dredging**

Ms. Carlson moved and it was seconded that the sum of \$7,500,000 is appropriated for the purpose of paying the costs of dredging of the Wellfleet Harbor and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, be and hereby is authorized to borrow said amount under and pursuant to G. L. c. 44, §7 (9) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts necessary to pay debt service on any bonds or notes issued pursuant to this vote from the limits of G. L. c. 59, §21C (Proposition 2½). Further, any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

The Board of Selectmen: Recommends 5-0

The Finance Committee: Recommends 7-0.

The Dredging Task Force: Recommends 3-0.

The Natural Resources Advisory Board: Recommends 3-0.

A two-thirds majority is required for adoption. The Moderator declared motion carried on a 2/3 voice vote.

#### **ARTICLE 13: Purchase of Parcel 17 on Map 34**

Ms. Wilson moved and it was seconded that the Town vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise land owned by the HDYLTA Trust, as shown on Assessor's Map 34, Lot 17, not including land owned and deeded to others within the bounds of that lot for shellfishing, aquaculture and beach access: and further to appropriate the sum of \$2,000,000 for the purpose of paying all costs related to the acquisition of said land, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, be and hereby is authorized to borrow said amount under and pursuant to M.G.L. c. 44, §7, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts necessary to pay debt service on any bonds or notes issued pursuant to this vote from the limits of M.G.L. c. 59, §21C (Proposition 2½). Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount. Further,

no funds shall be borrowed or expended for the acquisition of said land unless or until the Town shall have received a donation or donations of at least \$1 million for this purpose, and further, that the amount to be borrowed under this authorization shall be reduced by the amount of any donated funds received for this purpose.

The Selectmen: Recommends 4-0

The Finance Committee: Voted 7-0-1 to make no recommendations.

The Shellfish Advisory Board: 7-0

The Natural resource advisory board 3-0

A two-thirds majority is required for adoption. The Moderator declares motion carried on a 2/3 voice vote.

Mr. Silverman, Town Moderator, recused himself from the votes on Articles 14, 15, 16 and 17.

Mr. Harry Terkanian was elected Substitute Moderator by unanimous consent of the Town Meeting. So voted at 9:08.

#### **ARTICLE 14: Additional Fire Department Position**

Ms. Bacon moved and it was seconded that the sum of \$79,000 be transferred from the Ambulance Fund to pay the costs of funding one new Firefighter/EMT/Paramedic effective July 1, 2019 as printed in warrant as article 14.

The Board of Selectmen: Recommends 5-0

The Finance Committee: Recommends 7-0.

A majority vote is required for adoption. The Moderator declared motion carried on a voice vote.

#### **ARTICLE 15: Additional Fire Department Position**

Mr. Houk moved and it was seconded that the sum of \$79,000 be and hereby is raised and appropriated to pay the costs of funding one new Firefighter/EMT/Paramedic effective July 1, 2019, provided, however that no funds shall be expended hereunder unless and until the Town shall have voted to assess an additional \$79,000 in real estate and personal property taxes pursuant to the provisions of G. L. chapter 59, section 21C (Proposition 2 ½).

The Board of Selectmen: Recommends 5-0

The Finance Committee: Recommends 7-0.

A majority vote is required for adoption. The Moderator declared motion carried on a voice vote.

#### **ARTICLE 16: Capital Improvement–Fire Dept Ladder Truck**

Ms. Reinhart moved and it was seconded that the sum of \$285,000 is appropriated for the purpose of paying the costs of purchasing, outfitting, and equipping a combination aerial ladder/pumper truck for the Fire Department, whether new or used and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, be and hereby is authorized to borrow said amount under and pursuant to G. L. c. 44, §7 (9) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts necessary to pay debt service on any bonds or notes issued pursuant to this vote from the limits of G. L. c. 59, §21C (Proposition 2½). Further, any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes may be applied to the payment

of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 8-0

A two-thirds majority vote is required for adoption. The Moderator declared the motion carried by a unanimous voice vote.

**ARTICLE 17: Funding for Paramedic Training Program**

Mr. Houk moved, and it was seconded that the sum of \$10,000 be and hereby is raised and appropriated to pay costs of funding a paramedic training program as described in the warrant under article 17.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 7-0

A majority vote is required for adoption. The Moderator declared motion carried on a unanimous voice vote.

Moderator Silverman returned to the rostrum at 9:28pm.

**ARTICLE 18: Capital Improvement-DPW Street Sweeper**

Ms. Wilson moved and it was seconded that the sum of \$265,000 is appropriated for the purpose of paying the costs of purchasing and initially equipping a street sweeper for the Department of Public Works and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, be and hereby is authorized to borrow said amount under and pursuant to G. L. c. 44, §7 (9) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts necessary to pay debt service on any bonds or notes issued pursuant to this vote from the limits of G. L. c. 59, §21C (Proposition 2½). Further, any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 8-0

A two- thirds majority is required for adoption. The Moderator declared motion carried by a 2/3 voice vote.

**ARTICLE 19: Capital Improvement-DPW Front End Loader**

Ms. Carlson moved and it was seconded that the sum of \$220,000 is appropriated for the purpose of paying the costs of purchasing and initially equipping a front end loader for the Department of Public Works and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, be and hereby is authorized to borrow said amount under and pursuant to G. L. c. 44, §7 (9) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts necessary to pay debt service on any bonds or notes issued pursuant to this vote from the limits of G. L. c. 59, §21C (Proposition 2½). Further, any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes may be applied to the payment of costs approved by this vote in

accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 8-0

A two-thirds majority is required for adoption. The Moderator declared the motion carried by a 2/3 voice vote.

**ARTICLE 20: Capital Improvement-DPW Refuse/Recycling Trailer**

Ms. Bacon moved and it was seconded that the sum of \$75,000 is appropriated for the purpose of paying the costs of purchasing and initially equipping a refuse/recycling trailer for the Department of Public Works and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, be and hereby is authorized to borrow said amount under and pursuant to G. L. c. 44, §7 (9) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts necessary to pay debt service on any bonds or notes issued pursuant to this vote from the limits of G. L. c. 59, §21C (Proposition 2½). Further, any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 8-0

A two-thirds majority is required for adoption. The Moderator declared the motion carried by a 2/3 voice vote.

**ARTICLE 21: Capital Improvement-Police Cruiser**

Ms. Reinhart moved and it was seconded that the sum of \$40,000 is appropriated for the purpose of paying the costs of purchasing and equipping a police cruiser for the Police Department and for the payment of all other costs incidental and related thereto and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, be and hereby is authorized to borrow said amount under and pursuant to G. L.c. 44 §7(9) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however that no sums shall be borrowed or expanded hereunder unless and until the Town shall have voted to exclude the amounts necessary to pay debt service on any bonds or notes issued pursuant to this vote from the limits of G.L. c. 59, §21C(Proposition 2 ½). Further, any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied the payment of the costs of issuance of such bonds or notes may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44,§20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 8-0

A two-thirds majority is required for adoption. The moderator declared the motion carried by a 2/3 voice vote.

**ARTICLE 22: Capital Improvement-Building and Grounds Improvements**

Ms. Carlson moved and it was seconded that the sum of \$50,000 is appropriated for the purpose of paying the costs of buildings and grounds improvements to the Town Hall and at the Wellfleet Library and for payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer with the approval of the Selectmen, be and hereby is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(9) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts necessary to pay debt service on any bonds or notes issued pursuant to this vote from the limits of G. L.c. 59,§,21C(proposition 2 ½). Further, any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44,§20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

The Board of Selectmen: Recommends 3-2.

The Finance Committee: Recommends 8-0

A two-thirds majority is required for adoption. The Moderator declared the motion carried by a 2/3 voice vote.

#### **ARTICLE 23: Capital Improvement-Fuel Storage Tanks for Marina**

Ms. Wilson moved and it was seconded that the sum of \$526,208 is appropriated for the purpose of paying the costs of removing the existing fuel storage tanks at the Marina and purchasing and installing new above ground fuel storage tanks at the Wellfleet Marina and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Selectmen, be and hereby is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(9) or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor. Further, any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to borrow to pay such costs by a like amount.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 7-0

The Shellfish Advisory Board: Recommends 7-0

A two-thirds majority is required for adoption. The Moderator declared the motion carried by a 2/3 voice vote.

#### **ARTICLE 24: Other Post-Employment Benefits (“OPEB”) Appropriation**

Ms. Bacon moved and it was seconded that the sum of \$200,000 be raised and appropriated to the Other Post-Employment Benefits Liability Trust Fund.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 8-0

A majority vote is required for adoption. The moderator declared the motion carried with a unanimous voice vote.

**ARTICLE 25: Marina Enterprise Stabilization Fund**

Mr. Houk moved and it was seconded that the Town vote to transfer the sum of \$10,000 from the Marina Enterprise Fund to the Marina Enterprise Stabilization Fund.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 8-0

A majority vote is needed for adoption. The Moderator declares the motion carried with a unanimous voice vote.

**ARTICLE 26: Transfer to Stabilization Fund**

Ms. Reinhart moved, and it was seconded that the sum of \$40,000 be raised and appropriated to the Stabilization Fund.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 8-0

A majority vote is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

**ARTICLE 27: Transfer to Local TV Fund**

Ms. Wilson moved and it was seconded that the Town transfer \$180,269 from the Cable receipts fund to fund local access television programming.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 6-0

The Cable Advisory Committee: Recommends 4-0

A majority voice vote is required for adoption. The Moderator declares the motion carried on a unanimous voice vote.

Mr. Houk moved and it was seconded to adjourn until 6:00 pm on Tuesday, April 23, 2019 at Wellfleet Elementary school, 100 Lawrence Rd.

The Moderator declared the motion carried on a unanimous voice vote. Town Meeting adjourned at 10:01pm.

**Tuesday, April 23, 2019**

Having been advised by the Town Clerk that a quorum was present, Daniel Silverman, Moderator, called the Town Meeting to order at 6:06 pm at the Wellfleet Elementary School at 100 Lawrence Road. The final tally of voters present at this meeting was 284.

**ARTICLE 28: Community Preservation**

Ms. Plaue moved and it was seconded that the Town vote to set aside from the Community Preservation Fund estimated annual revenues the sum of \$26,837.25 for administrative expenses of the Community Preservation Committee for Fiscal Year 2020, the sum of \$52,900 for Open Space debt service; the sum of \$774.51 for the Open Space Reserve fund, the sum of \$53,674.51 for the Community Housing Reserve Fund, the sum of \$53,674.51 for the Historic Resources Reserve Fund, and the sum of \$346,884.28 for the 2020 Budgeted Reserve for general Community Preservation Fund purposes.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 6-0.

The Community Preservation Committee: Recommends 7-0

A majority vote is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

**ARTICLE 29: Community Preservation**

Mr. Sorkin moved, and it was seconded that funding for an Affordable Housing specialist for the purpose of promoting and supporting community housing, be accepted and adopted and that the sum of \$75,000 be appropriated from estimated annual revenues for the purposes of the article.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 6-0.

The Community Preservation Committee: Recommends 7-0

The Housing Authority: Recommends 4-0

The Local Housing Partnership: Recommends 5-0

A majority vote is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

**ARTICLE 30: Community Preservation**

Ms. McIlroy moved, and it was seconded that Article 30, Building the Wellfleet Affordable Housing Trust Fund, be accepted and adopted as printed in the warrant and that the sum of \$59,023 be appropriated from the Community Preservation Fund community housing reserves and the sum of \$40,977 be appropriated from the Community Preservation Fund Fiscal Year 2020 estimated revenue for a total of \$100,000 for the purposes of supporting community housing.

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 6-0.

The Community Preservation Committee: Recommends 7-0

The Housing Authority: Recommends 4-0

The Local Housing Partnership: Recommends 5-0

A majority vote is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

**ARTICLE 31: Community Preservation**

Ms. Rogers moved, and it was seconded that Article 31, the Cape Community Housing Partnership Housing Institute, be accepted and adopted as printed in the warrant and that the sum of \$7,500 be appropriated from the Community Preservation Fund Fiscal Year 2020 estimated revenues to the Community Development Partnership-sponsored Cape Housing Institute for the purpose of supporting community housing, and further that the Board of Selectmen be authorized to enter into a grant agreement with the Community Development Partnership for said purpose.

- The Board of Selectmen: Recommends 5-0.
- The Finance Committee: Recommends 6-0.
- The Community Preservation Committee: Recommends 7-0
- The Housing Authority: Recommends 4-0
- The Local Housing Partnership: Recommends 5-0

A majority vote is required for adoption. The Moderator declared the motion carried by a unanimous voice vote.

**ARTICLE 32: Community Preservation**

Ms. Fowler moved and it was seconded that Article 32, Baker’s Field Shade Pavilion, be accepted and adopted as printed in the warrant and that the sum of \$60,000 be appropriated from the Community Preservation Fund Fiscal Year 2020 estimated revenues for the purposes of preserving and rehabilitating land for recreational use at Baker’s Field by constructing and installing a permanent shade pavilion.

- The Board of Selectmen: Recommends 5-0.
- The Finance Committee: Recommends 6-0.
- The Community Preservation Committee: Recommends 7-0
- The Recreation Committee: Recommends 3-0

A majority vote is required for adoption. The Moderator declared the motion carried on a voice vote.

**ARTICLE 33: Community Preservation**

Ms. Vivante moved, and it was seconded that Article 33, Historical Plan for Wellfleet, be accepted and adopted as printed in the warrant and that the sum of \$30,000 be appropriated from the Community Preservation Fund Historic Reserves to the Wellfleet Historical Commission for the purpose of contributing to the cost of, and therefore supporting the preservation, rehabilitation and restoration of historic resources by the creation of additional Form B inventories, storage upgrades and conduction a workshop for owners of historic homes.

- The Board of Selectmen: Recommends 5-0.
- The Finance Committee: Recommends 6-0.
- The Community Preservation Committee: Recommends 7-0
- The Historical Commission: Recommends 4-0.

A majority vote is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

**ARTICLE 34: Pre School Voucher Program for 3 year old children**

Ms. Carlson moved, and it was seconded that the sum of \$100,000 be and hereby is raised and appropriated to pay the costs of funding a voucher system for children of Wellfleet residents who have reached the age of three years as of August 31<sup>st</sup> to be administered by the Human Services Committee, provided , however that no

funds shall be expended hereunder unless and until the Town shall have voted to assess an additional \$100,000 in real estate and personal property taxes pursuant to the provisions of G.L. Chapter 59, section 21C (proposition 2 ½ ).

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 7-0.

The Social and Human Services Committee: Recommends 5-0.

The Wellfleet Elementary School Committee: Recommends 5-0.

The Social & Human Services Committee: Recommends 5-0.

A majority vote is required for adoption. The Moderator declared the motion carried on a voice vote.

### **ARTICLE 35: Shellfish Revolving Fund**

Mr. Houk moved, and it was seconded that the Town vote to establish a Revolving Fund for Shellfish Propagation in accordance with Massachusetts General Laws Chapter 44, Section 53E½ as printed in the warrant under article 35, and further, to vote to establish the total amount that may be expended from said fund for Fiscal Year 2020 at \$5,000.

The Board of Selectmen: Recommends 5-0

Finance Committee: Recommends 5-0-1.

The Shellfish Advisory Board: Recommends 7-0

The Natural Resources Advisory Board: Recommends 3-0

Mr. Morrissey moved and it was seconded for indefinite postponement. Discussion ensued.

The Moderator declared the motion failed on a voice vote.

A majority vote is required for adoption of the main motion. The Moderator declared the main motion carried on a voice vote.

### **ARTICLE 36: Municipal Water System and Wastewater Funding**

Ms. Bacon moved and it was seconded that the sum of \$120,000 be and hereby is raised and appropriated to pay the costs of funding a review of the municipal water system's operations and to refine the Water Enterprise Fund's financial model and to work towards granting of a Watershed Permit by the Department of Environmental Protection to begin the process of implementing a required 208 plan under State and Federal Law, effective July 1, 2019. Provided, however that no funds shall be expended hereunder unless and until the Town shall have voted to assess an additional \$120,000 in real estate and personal property taxes pursuant to the provisions of G.L. Chapter 59, section 21C (proposition 2 ½).

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Recommends 5-2.

The Shellfish Advisory Board: Recommends 7-0

The Board of Water Commissioners: Recommends 5-0

The Comprehensive Wastewater Management Planning Committee: Recommends 4-0.

The Board of Health: Recommends 3-2

The Natural Resources Advisory Board: Recommends 3-0

The Mayo Creek Restoration Committee: Recommends 3-0

A majority vote is required for adoption. The moderator declared the motion carried on a voice vote.

### **ARTICLE 37: Old Shellfish Shack Renovations**

Ms. Reinhart moved, and it was seconded that the sum of \$42,000 be and hereby is raised and appropriated to pay the costs of renovations to the building known as the Old Shellfish Shack located next to the Mayo Beach Parking lot provided, however that no funds shall be expended hereunder unless and until the Town shall have Voted to assess an additional \$42,000 in real estate and personal property taxes pursuant to the provisions of G.L. Chapter 59, section 21 C (Proposition 2 ½).

The Board of Selectmen: Recommends 5-0.

The Finance Committee: Does not recommend 5-1

A majority vote is required for adoption. The Moderator declared the motion failed on a standing vote.

**ARTICLE 38: Wellfleet Balloon Reduction Bylaw**

Ms. Wilson moved, and it was seconded that the Town vote to amend its General Bylaws, Article VII, by adding a new Section to Article VII, Balloon Reduction Bylaw as printed in the warrant in article 38.

The Board of Selectmen: Recommends 5-0

The Bylaw Committee: Recommends 3-0

The Shellfish Advisory Board: Recommends 6-0

A majority vote is required for adoption. The Moderator declared the motion carried with a voice vote.

**ARTICLE 39: Disposition of Town Land to Conservation Commission**

Ms. Carlson moved, and it was seconded that the care, custody, management and control of the parcel of land shown on Assessor's Map 46, parcel 19, Town owned land on Hatches Creek, be transferred from the board or commission having custody thereof and from the purpose for which it is held to the Wellfleet Conservation Commission for open space purposes.

The Board of Selectmen: Recommends 5-0

The Open Space Committee: Recommends 5-0.

The Planning Board: Recommends 5-0.

The Conservation Commission: Recommends 6-0.

The Natural Resources Advisory Board: Recommends 4-0.

A two- thirds majority is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

**ARTICLE 40: Disposition of Town Land to Conservation Commission**

Ms. Bacon moved and it was seconded that the care, custody, management and control of the parcels of land shown on Assessors Map 40, Parcels 81, 170, 171,176, and 184, Town owned tidal and dune properties, be transferred from the board or commission having custody thereof and from the purpose for which it is held to the Wellfleet Conservation Commission for open space purposes.

The Board of Selectmen: Recommends 5-0

The Open Space Committee: Recommends 5-0.

The Planning Board: Recommends 5-0.

The Conservation Commission: Recommends 6-0.

The Natural Resources Advisory Board: Recommends 4-0.

A two-thirds majority vote is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

**ARTICLE 41: Disposition of Town Land to Housing Authority**

Mr. Ciotti moved and it was seconded that the care, custody, management and control of the parcel of land shown on Assessors Map 14, Parcel 112, be transferred from the board or commission having custody thereof and from the purpose for which it is held to the Wellfleet Housing Authority for affordable housing purposes.

- The Board of Selectmen: Recommends 5-0.
- The Housing Authority: Recommends 4-0
- The Local Housing Partnership: Recommends 5-0
- The Planning Board: Recommends 5-0.
- The Conservation Commission: Recommends 6-0.

A two-thirds vote majority is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

**ARTICLE 42: Disposition of Town Owned Property – Long Term Lease**

Ms. Bacon moved and it was seconded that the Town vote approve article 42, regarding the transfer of the care, custody, management and control of a portion of 95 Lawrence Road and to authorize the Board of Selectmen to enter into a long-term lease for a period of up to 99 years, said portion to be leased containing at least four acres but not more than six acres for the purpose of creating community rental housing, and the remaining portion of said property to continue to be held for the purposes for which it is currently held, as printed in the warrant.

- The Board of Selectmen: Recommends 5-0.
- The Housing Authority: Recommends 4-0.
- The Local Housing Partnership: Recommends 5-0.
- The Planning Board: Makes no recommendation.
- The Housing Authority: Recommends 4-0.
- The Open Space Committee: Recommends 5-0

A two-thirds majority is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

**ARTICLE 43: Petitioned Article; Petition to General Court, Seals and Sharks**

**SUBSTITUTE MOTION:**

Mr. Kartsounis moved, and it was seconded that the Town vote to request the Board of Selectmen to place the following question listed in article 43 on the next town election ballot. “Shall the Town of Wellfleet, Massachusetts petition the General Court of the commonwealth of Massachusetts, and the Congress of the United States, for greater local control to mitigate and/or manage the growing Cape Cod seal overpopulation problem, as well as the expanding Great White Shark problem?”

- The Board of Selectmen: Does not Recommend 5-0.
- The Marina Advisory Committee: Recommends 5-0

A majority vote is required for adoption. The Moderator declared the motion failed on a voice vote.

**ARTICLE 44: Petitioned Article; Bike Trail Extension**

Mr. Donovan moved, and it was seconded to approve article 44, regarding the Bike Trail Extension as printed in the warrant under article 44. To see if the Town will vote to request that the Board of Selectmen, the Conservation Commission, and the Planning Board consider alternate routes for the Bike Trail Extension and to ask the appropriate agencies of the Commonwealth to halt any planning or construction beyond Old County Road until those deliberations have occurred.

The Board of Selectmen: Does not Recommend 5-0.  
The Bike & Walkways Committee: Recommends 5-0

A majority vote is required for adoption. The Moderator declared the motion carried on a voice vote.

**ARTICLE 45: Petitioned Article; Energy Committee Charge**

Mr. Elkin moved, and it was seconded that Article 45, the petitioned article from the Energy Committee be indefinitely postponed.

The Board of Selectmen: Recommends Indefinite Postponement  
The Energy Committee: Recommends 4-0

A majority vote is required for adoption. The Moderator declared the motion carried with a unanimous voice vote.

**ARTICLE 46: Petitioned Article; Municipal Plastic Bottle Reduction Policy**

Ms. Shreves moved, and it was seconded that article 46, the non-binding recommendation to the Select board that a Municipal Plastic Bottle Reduction Policy, be approved as printed in the warrant under article 46. Plastic is a known human health hazard based on the fact that it cannot based on the fact that it cannot biodegrade and enters the human food chain. Further, plastic production relies on non-renewable fossil Fuel resources and creates toxic emissions at the point of production, recycling, and incineration-based waste disposal. Also, there is evidence that hormone-like chemicals within plastic leach into bottled beverages, thereby presenting yet another entry point for adverse health consequences.

Avoidance of plastic circumvents the hazards associated with its manufacture, use and disposal. In order to protect human health, wildlife, and the environment from plastic pollution, and as a model for organizations, businesses, and residents, this policy prohibits the Town of Wellfleet from procuring or distributing single-use plastic bottles or cups containing water or any other beverage.

A single-use plastic bottle or cup is a beverage container of any size made from any type of plastic Resin may contain recycled material, and may be sold as recyclable, biodegradable, or compostable. This policy does not apply during a declaration of an emergency adversely affecting the availability And/or quality of drinking water by the Town, Commonwealth, or United States. This policy may be temporarily waived by the Select Board for a specific circumstance where there is no viable alternative to single-use plastic containers. Or take any other action relative thereto.

with the following amendment:

After the second sentence in the second paragraph, ending with the words "...Town, Commonwealth or United States." add the sentence: "This Selectboard policy excludes all town departments when engaged in public safety operations."

The Board of Selectmen: Recommends 5-0.  
The Recycling Committee: Recommends 4-0.  
The Shellfish Advisory Board: Recommends 6-0.

A majority vote is required for adoption. The Moderator declared the motion carried with a unanimous voice vote.

**CONSENT AGENDA**  
**Articles 47 through 50**

**MOTION**

Ms. Wilson moved and it was seconded that Articles 47 through 50 inclusive be accepted and adopted as printed in the warrant.

The Board of Selectmen: Recommends 5-0.

**ARTICLE 47: Disposal of Personal Property.**

To see if the Town will vote to authorize the Town Administrator or his designee to dispose of surplus of the following articles of personal property by trade in or sale, or do or act anything thereon.

-None at time of printing.

Selectboard recommends 5-0

**ARTICLE 48: Authorize Town Collector to use all means for collecting taxes.**

To see if the Town will vote in accordance with G.L. c. 41, §38 to authorize the Town Collector to use all means for collecting taxes, which the Treasurer may use when appointed Collector, or do or act anything thereon.

Board of Selectmen: Recommends 5-0

**ARTICLE 49: DEP Liability**

To see if the Town will vote to assume liability in the manner provided by G.L. c. 91, §29 and 29 A, as most recently amended, for damage that may be incurred for work to be performed by the Department of Environmental Protection of Massachusetts for improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, great ponds, harbors, tidewaters, foreshores and shores along a public beach, excluding the Herring River and Herring River Dike, in accordance with G.L. c. 91, §11, and to authorize the Selectmen to execute and deliver a bond of indemnity there fore to the Commonwealth, or do or act anything thereon.

Board of Selectmen: Recommends 5-0

**ARTICLE 50: Local contributions to the Nauset Regional School.**

To see if the Town if the Town will vote pursuant to the provisions of G.L. c. 71, §16B, to reallocate the sum of the Town's required local contributions to the Nauset Regional School District in accordance with the Nauset Regional School district Agreement, rather than according to the formula of the Education Reform Act, so-called, for fiscal year 2020, or do or act anything thereon.

Board of Selectmen: Recommends 5-0

A majority vote is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

**SECTION IX: STANDARD CLOSING ARTICLES**

**ARTICLE 51: To hear reports**

Ms. Bacon moved, and it was seconded that Article 51 be accepted as printed in the warrant. To hear reports of the Selectmen, Town Officers, and all other Committees and to act thereon, or do or act anything thereon.

The Board of Selectmen: Recommends 5-0.

A majority vote is required for adoption. The Moderator declared the motion carried on a unanimous Voice vote.

**ARTICLE 52: Any other business that may legally come before the meeting.**

Mr. Houk moved and it was seconded that Article 52 be accepted as printed in the warrant. To act on any other business that may legally come before the meeting.

The Board of Selectmen: Recommends 5-0.

A majority vote is required for adoption. The Moderator declared the motion carried on a unanimous voice vote.

The Moderator sought approval of the following re appointments:

Ms. Suzanne Thomas is re-appointed *ex officio* to a 3-year term, through the 2022 ATM to the Social/Human Services Advisory Committee with thanks.

Ms. Dawn Rickman is re-appointed to a 3-year term, through the 2022 ATM to the Bylaw Committee, with thanks.

Ms. Linda Pellegrino to 3-year term, through the 2022 ATM to the Finance Committee, with thanks.

Mr. Jeff Tash to a 3-year term, through the 2022 ATM to the Finance Committee, with thanks.

Ms. Kathleen Granlund to a 3-year term, through the 2022 ATM to the Finance Committee, with thanks.

The Moderator then declared the appointments were adopted on a unanimous voice vote.

The Moderator announced the following vacancies and asked any interested parties to contact him:

Three openings on the Finance Committee, one regular member and two alternate Members.

Mr. Houk moved and it was seconded that the Annual Town Meeting be adjourned and dissolved.

Adopted by unanimous voice vote at 9:43 p.m.

A TRUE RECORD ATTEST:



Joseph F. Powers, MMC/CMMC  
Town Clerk

